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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,826	12/02/2003	John B. Amundson	H0005444-9950 (1161.11401)	3578
128 7590 08/13/2008 HONEYWELL INTERNATIONAL INC. 101 COLUMBIA ROAD P O BOX 2245 MORRISTOWN, NJ 07962-2245				
EXAMINER				
KASENGE, CHARLES R				
ART UNIT		PAPER NUMBER		
2121				
MAIL DATE		DELIVERY MODE		
08/13/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/725,826

Applicant(s)

AMUNDSON ET AL.

Examiner

CHARLES R. KASENGE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 May 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-43 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 02 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-8508)
4) ☐ Interview Summary (PTO-413)
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____
Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see Remarks, filed 5/20/08, with respect to the rejection(s) of claim(s) 1-40 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, in light of the new amendments to the claims, a new ground(s) of rejection is made in view of Yoon et al. U.S. PGPub 2004/0107717.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 13 and 41 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claims 13 and 41 recite the limitation "the scheduling routine" in line 14. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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6. Claims 1-33, 38-40, 42 and 43 are rejected under 35 U.S.C. 102(e) as being anticipated by Yoon et al. U.S. PGPub 2004/0107717. Regarding claims 1, 25, 39, 40, 42 and 43, Yoon discloses a method of accessing a schedule on a controller coupled to a user interface, comprising the steps of: initiating a schedule review mode (view mode) within the controller, said schedule review mode permitting viewing access only and not permitting editing access to at least two schedule parameters (start/stop time, time, day) in the schedule (pg. 3, ¶43 and 47; Fig. 4), while in the schedule review mode, manually selecting via the user interface two or more schedule parameters (pg. 3, ¶44); in response to the manually selecting step, displaying manually selected schedule parameters via the user interface without first having to wait for other schedule parameters to be automatically sequentially displayed on the user interface (pg. 3, ¶46); and exiting the schedule review mode (pg. 3, ¶47). The Examiner asserts that Yoon's "view mode" and "editing mode" implicitly assert that the schedule parameters can not be modified while in view mode.

Regarding claims 2-5, 13-16, and 25-29, Yoon discloses the method of claim 1, further comprising the steps of: initiating an editing mode within the controller (pg. 3, ¶47); and while in the editing mode, modifying at least one schedule parameter of the schedule, wherein the schedule review mode must be exited before the editing mode is initiated (pg. 3, ¶44 and 47). Yoon discloses the method of claim 2, wherein the step of initiating the schedule review mode occurs prior to the step of initiating the editing mode (pg. 3, ¶47). Yoon discloses the method of claim 1, wherein said schedule includes at least two time periods, with one or more schedule parameters corresponding to each of the at least two time period, at least one of the time periods corresponding to a wake period, a leave period, a return period, or a sleep period (Fig. 4, wherein empty cell is leave/sleep period and filled cell is wake/return period). Yoon discloses the method

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of claim 1, wherein said one or more schedule parameters is selected from the group consisting of an **event time** parameter, a heat set point parameter, a cool set point parameter, a fan mode parameter, and a humidity level parameter (Fig. 4).

Regarding claims 6-8, 17-19, and 30-32, Yoon discloses the method of claim 1, wherein the user interface comprises a touch screen (pg. 3, ¶44), display panel and keypad (pg. 3, ¶45), and a menu-driven interface (Fig. 4). Regarding claims 9-12, 20-23, and 33, Yoon discloses the method of claim 1, wherein said schedule is a heating, cooling, or venting schedule (pg. 2, ¶26), and the controller is a HVAC controller (pg. 2, ¶26). Regarding claims 24 and 38, Yoon discloses the method of claim 13, wherein said one or more schedule parameters are unmodifiable in the schedule review mode (Fig. 4). The Examiner asserts that Yoon's "view mode" and "editing mode" implicitly assert that the schedule parameters can not be modified while in view mode.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 34-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoon '642 et al. as applied to the claims above, and further in view of Yoon et al. U.S. Patent 6,192,282.

Regarding claims 34-37, Yoon '642 does not disclose a controller for a security, lighting, sprinkler or A/V system. Yoon '282 et al. discloses a controller wherein said system is a security, lighting, sprinkler, or A/V system (col. 8, lines 25-32).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to implement Yoon '642's method for accessing a schedule for a controller that controls security, lighting, sprinkler and A/V system. One of ordinary skill in the art would have been motivated to do this since Yoon '282's controller is used for HVAC as well as the other systems (Fig. 1).

9. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoon et al. U.S. PGPub 2004/0107717. Yoon does not expressly disclose the step of exiting the editing mode after the modifying step but before the exiting the scheduling routine step.

Official notice is taken that exiting the editing mode after modifying the schedule was well known at the time the invention was made in the analogous art of computer scheduling.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to go to a view mode after modifying a schedule in an editing mode to ensure the parameters were properly changed. One of ordinary skill in the art would have been motivated to do this since in order to ensure schedule accuracy.

Therefore, it would have been obvious to modify Yoon to obtain the invention as specified in claim 14.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHARLES R. KASENGE whose telephone number is (571)272-3743. The examiner can normally be reached on Monday through Friday, 8:30 - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert DeCady can be reached on 571 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Albert DeCady/
Supervisory Patent Examiner, Art Unit 2

CK
August 9, 2008